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March 18, 2020

**VIA ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

**Re: *Worrell v. The Pickle People LLC, et al.* (1:19-cv-11040) (KPF) (DCF)  
Second Request for Extension of Time to Respond to Complaint  
and for Adjournment of Initial Pretrial Conference**

Dear Judge Failla:

We represent The Pickle People LLC (“Maison Pickle”) in the above-referenced matter. On behalf of Maison Pickle, and with the consent of plaintiff Vernita Worrell (“Plaintiff”), we respectfully request a 60-day extension of time for Maison Pickle to respond to the Complaint and a 60-day adjournment of the Initial Pretrial Conference. Additional time is requested due in large measure to the coronavirus pandemic (COVID-19) and the impact that it is having on our client’s operations and, potentially, the viability of Plaintiff’s federal claims.

This action concerns claims of alleged barriers to access at a restaurant pursuant to Title III of the Americans with Disabilities Act and similar state and local laws. However, this week, state and city governments mandated the closure of all restaurants, including Maison Pickle—except for takeout and delivery—for an indefinite length of time. As a result, many restaurants either are closing entirely or providing only takeout and/or delivery services.

Prior to this development, Maison Pickle and Plaintiff were engaged in amicable discussions regarding the claims and appeared to be on track to conclude their discussions prior to the current deadline for the filing of a response to the Complaint. However, given the extraordinary circumstances, Maison Pickle and Plaintiff have been unable to conclude their discussions.

Finally, we note that defendant 2315 Broadway LLC (“Landlord”) has not appeared in this action, and the Landlord’s appearance—including attendance at the Initial Pretrial Conference—is necessary due to the nature of the claims and Plaintiff’s request for injunctive relief.

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This application is Maison Pickle's second request for an extension of time for responding to the Complaint and for an adjournment of the Initial Pretrial Conference. Maison Pickle's response to the Complaint currently is due on March 19, 2020, and the Initial Pretrial Conference is scheduled to take place on April 1, 2020. If granted, Defendant would respond to the Complaint by May 18, 2020, and the Initial Pretrial Conference would take place on or after June 1, 2020. The requested extension and adjournment would not affect any other scheduled dates, except for the parties' joint letter and proposed case management plan and scheduling order, which the parties would submit by the Thursday of the week prior to the Conference.

We thank the Court for its consideration of our requests.

Respectfully submitted,  
*/s/ Jason B. Jendrewski*  
Jason B. Jendrewski

cc: Donald J. Weiss, Esq. (via ECF)

Application GRANTED. Defendants shall respond to the Complaint on or before May 18, 2020. The initial pretrial conference, currently scheduled for April 1, 2020, is hereby ADJOURNED to June 11, 2020, at 4:00 p.m. in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

Dated: March 19, 2020  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE